Attachment 4: Launch Service Acceptance Criteria

for

FA8811-16-R-0006

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1. INTRODUCTION

This Launch Service Acceptance Criteria (LSAC) attachment defines the acceptance criteria for all National Security Space (NSS) Launch Services under this contract.

2.0 ORGANIZATIONAL RESPONSIBILITIES

2.1 The Director, Launch Systems Directorate (SMC/LE): The SMC/LE Director will consider the Contractor's reports and other pertinent data, and determine whether the Contractor has met the acceptance criteria as outlined in this LSAC.

2.2 Procuring Contracting Officer (PCO): The PCO is the liaison between Contractor and Government personnel and executes the LSAC. The PCO reviews and implements the SMC/LE Director's acceptance criteria determination.

3. EVALUATION

3.1 SMC/LE Director Determination

Within 30 days of the Government Post Flight Review, the SMC/LE Director will use the data specified in Section 3.2 and the criteria in Section 3.3 to provide the PCO with a Launch Service mission acceptance determination, and the PCO will notify the Contractor in writing whether a mission launched has been either accepted with full payment or accepted with partial payment by the Government. For missions with secondary and/or auxiliary payload(s), the Government's acceptance will be based on successful delivery of the primary mission, regardless of the success or failure of the secondary and/or auxiliary payload(s). Any missions/requirements added to this Contract involving multiple primary payloads (dual or multiple manifest) or secondary payloads shall be the subject of a separate contractual action. In the event the Contractor does not concur with the PCO's written decision, it shall be considered a dispute within the meaning of the clause FAR 52.233-1, "Disputes – Alternate 1" as included by reference in clause FAR 52.212-4(d).

3.2 Data Reliance. Launch Service acceptance will be determined using but not limited to the following data:

a. Orbit elements determined from launch vehicle guidance data provided by the Contractor.

b. Launch vehicle data indicating payload separation provided by the Contractor.

c. Available launch vehicle environmental data, including shock, acceleration, and thermal data, including data at the launch vehicle/payload interface.

d. Launch vehicle sequencing and attitude data provided by the Contractor.

e. Payload orbit elements determined from tracking and telemetry data provided by the observing networks with adjustments for the applicable orbit determination uncertainties (provided by the Government).

f. Payload telemetry data provided by the observing networks with adjustments for the applicable orbit determination uncertainties (provided by the Government).

3.3. Launch Service Acceptance Criteria: A Launch Service shall be determined by the SMC/LE Director to be acceptable with full payment if any of the conditions below are met.

a. The primary spacecraft is placed into an orbit within the allowable dispersions, as defined in the appropriate Interface Control Document (ICD), from the target values as defined in the mission definition letter and/or Target Specification and the Satellite has 100% operational utility. Verification of insertion will be the responsibility of the Government.

b. The primary spacecraft is placed into orbit, as defined in paragraph 3.3.a above and independent of the operational utility of the spacecraft, the launch vehicle induced environments are not in excess of those specified in the ICD. Verification of launch vehicle environments to which the spacecraft is exposed is the responsibility of the Contractor with confirmation by the Government. For the purposes of ICD compliance, the booster-induced flight environments shall be considered satisfied where they are:
   1) not in excess of the magnitude of the ICD level where the ICD level is defined as P99/90 (probability of 99%, with 90% confidence level), or;
   2) not in excess of the magnitude of the ICD level +6dB where the ICD level is defined as P95/50 (probability of 95%, with 50% confidence). ICD violations unrelated to the SV functional failure shall not be considered herein as a material factor in mission success or failure.

c. The spacecraft is placed into the orbit, as defined in paragraph 3.3.a above, and has zero operational utility and at no fault of the Contractor the environmental data portion of the launch vehicle telemetry has not been obtained or has been obtained but is unreliable or unusable.

d. A mission failure is due to the improper issuance of destruct command by a Government Agency. Improper issuance is defined as the Government Flight Termination System activation in error.

e. A mission failure is due to any Spacecraft, Associate Contractor [Federally Funded Research & Development Contractor (FFRDC), Systems Engineering & Technical Assistance (SETA), or Systems Engineering & Integration (SE&I)] or Government agency related error.

f. A mission failure is due to inaccurate Government Furnished Data (inclusive of spacecraft Contractor data) leading to an erroneous decision to launch or the mission failure is determined to be a result of the inaccurate Government Furnished Data.

g. A mission failure is due to the failure of the spacecraft to successfully issue a separation command (for those missions dependent upon the spacecraft to initiate the separation event).

h. A mission failure caused by the secondary and/or auxiliary payload(s).

i. A mission failure where the Government overrode the Contractor's "No-Go" decision and the mission failure is caused by the Contractor's cited reason for the Contractor's "No-Go" decision.

3.4 Mission Failure: The SMC/LE Director shall deem a Launch Service that does not meet one of the LSAC in Section 3.3 to be a "Mission Failure". A Launch Service categorized as a "Mission Failure" shall be accepted with partial payment by the PCO and not receive the final post-launch milestone payment. Given that defects in service for the final milestone are not suitable for correction by re-performance, the Contracting Officer has determined that pursuant to FAR 52.246-4(e) the appropriate relief for the Government in the event of a final milestone defect, e.g. mission failure, is to reduce the contract price by the amount of the full final milestone payment, which appropriately reflects the reduced value of the services performed.

3.5 Requirement for data: In the event a mission is not determined acceptable with full payment all data including but not limited to telemetry, tracking, and ephemeris data (including supporting accuracy analysis) used by the Government to determine performance will be furnished to the Contractor upon request.

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